

## Summary

### **The status of a witness in Czech and French criminal procedure - comparison**

The subject of my thesis is a comparison of the status of a witness in a Czech and French criminal procedure. I have chosen this theme because I'm interested in criminal law and I also pursue studying French law. During this activity I found an institute of assisted witness which is completely unique and unknown in a Czech legal environment.

This thesis is divided into three parts, at first I focus on the status of a witness in Czech legislation, the second part contains a French regulation and the third is a comparison of those two.

The first thing in a first part is a determination who the witness is and who can be a witness in a criminal procedure. Then I concern with rights and duties which the witness owns and must fulfil during the proceedings. Next chapter deals with a course of an examination of the witness and with questions connected with an examination, e.g. tactics of examination. In the next chapter there is possible to find out specifics of a situation when the witness is a minor. Next important aspect is also a protection of a witness who is jeopardized because of a provision of a testimony. We can also find out conditions and methods of providing the protection. I affiliated two particular chapters in addition to a Czech part-the chapter named Status of a witness in the light of The European Convention for the Protection of Human Rights and Fundamental Freedoms which also relates to a French part and there is also a chapter about crown witnesses who as an institute are not used in Czech Republic. As the last chapter in this part there is one which is aimed to an institute of a cooperating witness as it is used in Czech legal order.

The second part of this thesis deals with a French regulation. As in the first part the person of a witness is defined, as well as his rights and duties, then course of examination of a witness is described and so are possibilities of his protection. I tried to emphasized differences of Czech and French legislations. The chapter about assisted witness, particular and unique institute of French penal law, is elaborated in detail. It is possible to find out which historical circumstances led to a creation of this institute, who can become assisted witness and how, which rights and duties are connected with this status and other information.

The third part of my thesis is devoted to a reciprocal comparison of Czech and French legislation. The main differences in the status of a witness in criminal procedure are pointed out.